



17364 U.S. PTO

Patent  
7248-138

To: Mail-stop Patent Application  
Commissioner for Patents  
P. O Box 1450  
Alexandria, Virginia 22313-1450

## NEW APPLICATION TRANSMITTAL - UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:031356 U.S. PTO  
10/781926**Inventor(s):** TODD WEST and DENNIS KENNEDY**Title:** AIR DRIVEN HYDRAULIC PUMP**I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):**

- 10 Page(s) of Written Description  
3 Page(s) Claims  
1 Page(s) Abstract  
6 Sheets of Drawings ☒ Informal ☐ Formal

**II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

- ☐ Declaration  
☐ Power of Attorney ☐ Separate ☐ Combined with Declaration  
☐ Assignment to \_ and assignment cover sheet – or – recorded \_\_\_\_ at Reel \_\_\_\_, Frame \_\_\_\_  
☐ Certified Copy of Priority Document No(s):  
☐ Information Disclosure Statement w/PTO 1449 ☐ Copy of Citations  
☐ Preliminary Amendment  
☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
☒ Return Postcard  
☐ Other:

**III. PRIORITY**

- ☐ Priority of application Serial No. \_\_\_\_ filed on \_\_\_\_ in \_\_\_\_ is claimed under 35 U.S.C. § 119.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, P. O. box 1450, Alexandria, Virginia 22313-1450.

EV 323 597 001 US  
Express Mail Label No.

February 17, 2004  
Date of Deposit

Diane C. Smith

Name of Person Mailing Paper

*Diane C. Smith*  
Signature of Person Mailing Paper

IV. **THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

V. ☐ **Applicant claims small entity status pursuant to 37 CFR § 1.27**

<b>BASIC FILING FEE:</b>						<b>\$770.00</b>
Total Claims	7	-	20	=	0	x \$18.00 \$0.00
Independent Claims	2	-	3	=	0	x \$86.00 \$0.00
Multiple Dependent Claims	\$280	(if applicable)				<input type="checkbox"/> \$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						<b>\$770.00</b>
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.						\$
						<input checked="" type="checkbox"/>
Misc. Filing Fees (Recordation of Assignment -- \$40)						\$0.00
<b>TOTAL FEES DUE HEREWITH</b>						<b>\$</b>

VI. **METHOD OF PAYMENT OF FEES**

- ☐ A check in the amount of \_\_\_\_.
- ☐ Charge Fulbright & Jaworski L.L.P.'s Deposit Account No. **50-0337** in the amount of \$0.00.
- ☒ This application is being filed without fee or Declaration under 37 CFR § 1.53.

VII. **AUTHORIZATION TO CHARGE FEES**

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Fulbright & Jaworski L.L.P.'s Deposit Account No. **50-0337** for the following:

- ☐ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☐ 37 CFR § 1.17 – (Any application processing fees)
- ☐ 37 CFR § 1.21 – (Assignment recording fees)

VIII. **CORRESPONDENCE ADDRESS**

Please send all correspondence to Customer Number 00167:

**000167**

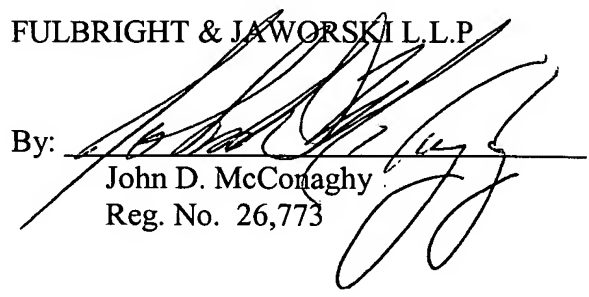
FULBRIGHT & JAWORSKI L.L.P.  
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Please direct all inquiries to John D. McConaghy, at the above customer number.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

Dated: February 17, 2004

By:   
John D. McConaghy  
Reg. No. 26,773

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	TODD WEST
Title	AIR DRIVEN HYDRAULIC PUMP
Atty Docket Number	7248-138

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

FULBRIGHT & JAWORSKI L.L.P.

February 17, 2004

Date

By

  
John D. McConaghy, Reg. No. 26,773

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**